

REMARKS

Claims 24-32 and 36 are pending in this application. Claims 1-23 and 33-35 have been cancelled without prejudice. Applicants reserve the right to pursue these claims in additional applications directed to non-elected inventions. Claims 24-26 and 30 have been amended herein. No new matter has been added with these amendments. Support for these amendments may be found throughout the specification and in the FIGS., for example, originally filed claims 29 and 30, paragraph 0044 and FIG.12. Favorable consideration and allowance are respectfully requested.

I. Claim Rejections Under 35 U.S.C. §112

Claims 30-32 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Applicants' claim 30 now recites that the method includes providing a first stent and a second stent in a staggered, adjacent configuration wherein the first stent is distal to the second stent. In the staggered configuration, the overall diameter is less than the sum of the first stent portion diameter and the second stent portion diameter when placed side by side.

Applicants respectfully request that the rejection of claims 30-32 under 35 U.S.C. §112, second paragraph, be withdrawn.

II. Claim Rejections Under 35 U.S.C. §102

Claims 24 and 25 have been rejected under 35 U.S.C. §102 (e) as being anticipated by Eidenschink (U.S. 2005/01922656). As discussed in the previous response, Applicants' discussion of the Eidenschink reference is not to be construed as an admission that the reference is prior art.

Applicants respectfully traverse the rejection based on Eidenschink. Applicants respectfully request reconsideration of the rejected claims in light of the traversals and the claim amendments discussed below.

Eidenschink has been discussed in detail in the March 2, 2007 response. Briefly, Eidenschink is directed to a system for deploying a stent at a bifurcation wherein the outer diameter of stent portion 22 engages the interior walls of the parent vessel 12 and the

stent portion 24 frictionally engages the branch vessel 14. (Paragraph 0042 and FIG. 6.) As discussed by the Examiner on page 3 of the May 30, 2007 Office Action, Eidenschink discloses first (38) and second (36) introducers having a constant diameter from the proximal through the distal portions. Eidenschink fails to teach or suggest providing a first introducer having a first distal portion configured for carrying a stent thereon having a first distal outer diameter and a first proximal portion having a first proximal outer diameter, the first proximal outer diameter being less than the first distal outer diameter. Eidenschink further fails to teach or suggest placing a first and second introducer in a staggered, adjacent configuration wherein an overall diameter of the first and second introducers is less than the sum of the first distal outer diameter and the second distal outer diameter.

In contrast, Applicants' claim 24 requires providing a first introducer having a first distal portion configured for carrying a stent thereon having a first distal outer diameter and a first proximal portion having a first proximal outer diameter, the first proximal outer diameter being less than the first distal outer diameter. Claim 24 also requires placing the first and second introducers in a staggered, adjacent configuration wherein an overall diameter of the first and second introducers having the first proximal portion adjacent to the second distal portion is less than the sum of the first distal outer diameter and the second distal outer diameter. Claim 25 depends from newly amended claim 24. Therefore, the staggered, adjacent configuration required by claim 24 having a reduced diameter is not taught or suggested by Eidenschink.

Thus, Applicants respectfully assert that the claimed invention in claims 24 and 25 is not anticipated by Eidenschink. Applicants respectfully request the rejection of claims 24 and 25 under 35 U.S.C. §102(e) be withdrawn.

B. Claims 26, 27 and 29

Claims 26, 27 and 29 were rejected under 35 U.S.C. §102(b) as being anticipated by Dorros (U.S. 5,720,735).

Applicants respectfully traverse the rejection based on Dorros. Applicants respectfully request reconsideration of the rejected claims in light of the traversals and the claim amendments discussed below.

Dorros has been discussed in detail in the in the March 2, 2007 response. Dorros is directed to endovascular catheters used to deploy endovascular grafts or stents within the vessel. As illustrated in FIGS. 1 and 3, the catheters are configured for side by side delivery of balloons, stents, stent grafts, or implants to branched vessels. (See also Col. 3, lines 27-29.) As shown in FIG. 5, the catheter system is properly placed when the crotch 68 of the bifurcated catheter engages the bifurcated vessel wall. (Col. 6, lines 30-32.) The stents 64 and 66 are shown held within the sleeves 60 and 62 in the respective branches. The stents 64 and 66 are configured for side by side delivery to the branched vessel. As shown, the Dorros fails to teach or suggest that the first and second introducers are disposed in a staggered, adjacent configuration wherein the first stent is disposed distal to the second stent and the overall diameter of the staggered, adjacent configuration is less than the sum of a first distal portion diameter and a second distal portion diameter.

In contrast, Applicants' newly amended claim 26 requires that the first and second introducers are disposed in a staggered, adjacent configuration wherein the first stent is disposed distal to the second stent and the overall diameter of the staggered, adjacent configuration is less than the sum of a first distal portion diameter and a second distal portion diameter. The staggered, adjacent configuration having a reduced overall diameter required by claim 26 is not taught or suggested by Dorros.

Claims 27 and 29 depend from claim 26 and therefore are also not taught or suggested by Dorros.

Thus, Applicants respectfully assert that the claimed invention in claims 26, 27 and 29 is not anticipated by Dorros. Applicants respectfully request the rejection of claims 26, 27 and 29 under 35 U.S.C. §102(b) be withdrawn.

III. Claim Rejections Under 35 U.S.C. §103

A. Claim 28

Claim 28 was rejected under 35 U.S.C. §103 (a) as being unpatentable over Dorros in view of Carleton (U.S. 6,142,973).

Applicants respectfully traverse the rejection based on Dorros in view of Carleton. Applicants respectfully request reconsideration of the rejected claims in light of the traversals and the claim amendments discussed below.

Dorros has been discussed above with respect to claim 26. Carleton is directed to a balloon catheter having a body and first and second arms attached to one end of the body. As shown in FIG. 5, stents 128 and 130 are shown in a side by side configuration on the catheter 110. Carleton fails to teach or suggest a staggered, adjacent configuration wherein the first stent is disposed distal to the second stent and wherein the overall diameter of the staggered configuration is less than the sum of the respective portions forming the adjacent configuration. Carleton fails to make up the deficiencies of Dorros that also fails to teach or suggest a staggered, adjacent configuration for the first and second introducers. All of the recited elements in Applicants' rejected claim 28 are not found in the Dorros and Carleton references alone or in combination.

Therefore, Applicants respectfully request that the rejection of claim 28 under 35 U.S.C. §103(a) be withdrawn.

B. Claims 30 and 31

Claims 30 and 31 were rejected under 35 U.S.C. §102(a) as being unpatentable over Globerman (U.S. 2006/0100694) in view of Killion (U.S. 6,159,238).

Applicants respectfully traverse the rejection based on Globerman in view of Killion. Applicants respectfully request reconsideration of the rejected claims in light of the traversals and the claim amendments discussed below.

As acknowledged by the Examiner, Globerman fails to disclose that the adjacent configuration has an overall diameter that is less than the sum of the first and second stent portions. Killion is directed to a single stent and a method of its use. Killion discloses a stent having a tapered configuration for providing varying force in different regions. (Abstract.) Killion fails to teach or suggest a first stent and a second stent in a staggered, adjacent configuration wherein the staggered configuration has an overall diameter that is less than the sum of adjacent first stent portion and second stent portion diameters.

Applicants' claim 30 requires a staggered, adjacent configuration for the first stent and the second stent wherein the overall diameter in the staggered, adjacent configuration is less than the sum of a first stent portion second stent portion diameters. Together or individually, Globerman and Killion fail to teach or suggest a reduced overall diameter in

the staggered, adjacent configuration. Claim 31 depends from claim 30 and therefore is also not taught or suggested by Globerman in view of Killion.

Applicants respectfully assert that all of the recited elements in Applicants' rejected claims 30 and 31 are not found in the Globerman and Killion references alone or in combination. Applicants respectfully request the rejection of claims 30 and 31 under 35 U.S.C. §103(a) be withdrawn.

D. Claim 32

Claim 32 was rejected under 35 U.S.C. §103(a) as being obvious over Globerman in view of Killion and further in view of Carleton.

Applicants respectfully traverse the rejection based on Globerman in view of Killion and further in view Carleton since the references together or singly fail to teach or suggest a staggered, adjacent configuration for the first stent and the second stent wherein the overall diameter in the staggered, adjacent configuration is less than the sum of a first stent portion second stent portion diameters. Applicants respectfully request reconsideration of the rejected claim.

Globerman and Killion have been discussed above with respect to claim 30 from which claim 32 depends. Carleton has also been discussed above and fails to teach or suggest a staggered, adjacent configuration having an overall diameter that is less than the sum of the respective first and second stent portion diameters forming the staggered, adjacent configuration.

In contrast, Applicants' claimed invention in claim 32 requires that the first stent and second stent are disposed in a staggered adjacent configuration wherein the overall diameter of the staggered, adjacent configuration is less than the sum of a first stent portion diameter and the second stent portion diameter. Applicants respectfully assert that all of the recited elements in Applicants' rejected claim 32 are not found in the Globerman and Killion and Carleton references alone or in combination.

Therefore, Applicants respectfully request the rejection of claim 32 under 35 U.S.C. §103(a), be withdrawn.

E. Claim 36

Claim 36 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Eiderschink in view of Mikus (2002/0035391). According to the Examiner, Eiderschink discloses a method as described above with the exception of providing an endoscope having a working channel.

Applicants respectfully traverse the rejection based on Eiderschink in view of Mikus since the references alone or in combination fail to teach or suggest a method for placing first and second stents wherein the first introducer and the second introducer are placed in a staggered, adjacent configuration wherein an overall diameter of the first and second introducers is less than the sum of the first distal outer diameter and the second distal outer diameter.

Eiderschink has been discussed above. Mikus discloses a system for placing a stent within the prostatic urethra and has been discussed in the March 2, 2007 response. Mikus does not teach or suggest a staggered, adjacent configuration wherein the first proximal portion is adjacent to the second distal portion and has a reduced diameter. Mikus et al. cannot overcome the deficiencies of Eiderschink. All of the recited elements in Applicants' rejected claim 36 are not found in the Eiderschink and Mikus references alone or in combination.

Therefore, Applicants respectfully request that the rejection of claim 36 under 35 U.S.C. §103(a) be withdrawn.

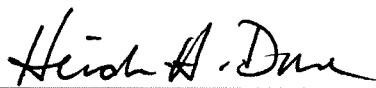
III. Summary

Having carefully addressed the Examiner's objections and rejections, Applicants respectfully assert that the application is in condition for allowance. Allowance of the present claims is earnestly solicited.

Should the Examiner wish to discuss any of the above submissions in more detail, the Examiner is asked to please call the undersigned at the telephone number listed below.

Respectfully submitted,

Dated: July 26, 2007


Heidi A. Dare
Registration No. 50,775
Attorney for Applicants

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, IL 60610
(312)321-4200